



Department of Justice

United States Attorney's Office
District of North Dakota

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Garrison Man Sentenced for Voluntary Manslaughter

BISMARCK - Acting United States Attorney Lynn Jordheim announced that on February 8, 2010, Jesse McKenna, 22, of Garrison, North Dakota, was sentenced before United States District Court Judge Daniel L. Hovland on a charge of voluntary manslaughter.

Judge Hovland sentenced McKenna to serve six years and six months in federal prison, to be followed by three years of supervised release. McKenna was ordered to pay restitution of \$5534.21 and to pay a \$100 special assessment to the Crime Victim's Fund. Co-defendant Duane Bear received the same sentence on January 25, 2010.

McKenna pleaded guilty to the charge on November 4, 2009. The incident occurred on December 10, 2008, in White Shield. The victim was at a residence in White Shield along with McKenna and Duane Bear. The group was consuming alcohol when the victim and Bear began to argue. The victim pulled out a small switch-blade knife and Bear grabbed a scissors. McKenna hit the victim in the head with a fist, knocking the victim to the ground and causing the knife to fall out of his hand. The victim was then kicked in the head, face, and body. McKenna and Bear picked up the victim, who was unconscious and unable to walk, and carried him upstairs from the basement of the home.

They took the victim outside and placed him onto the snow-covered ground. The victim was wearing only a t-shirt, pants, and shoes, while the temperatures during the night were in the low- to mid-twenties. The next morning a nearby resident observed the victim lying outside in the snow. Emergency personnel were called and determined the victim was deceased. The cause of death was determined to be systemic hypothermia due to exposure to cold ambient temperatures, with alcohol intoxication a significant contributing factor.

The case was investigated by the Federal Bureau of Investigation and Three Affiliated Tribes Police Department.

Assistant United States Attorney Rick Volk prosecuted the case.

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